

1 Robert A. Julian (SBN 99469)
2 Cecily A. Dumas (SBN 111449)
BAKER & HOSTETLER LLP
1160 Battery Street, Suite 100
3 San Francisco, CA 94111
Telephone: 628.208.6434
4 Facsimile: 310.820.8859
Email: rjulian@bakerlaw.com
Email: cdumas@bakerlaw.com

6 Eric E. Sagerman (SBN 155496)
7 Lauren T. Attard (SBN 320898)
BAKER & HOSTETLER LLP
11601 Wilshire Boulevard
8 Suite 1400
Los Angeles, CA 90025
9 Telephone: 310.820.8800
Facsimile: 310.820.8859
10 Email: esagerman@bakerlaw.com
Email: lattard@bakerlaw.com

11 *Counsel for Official Committee of Tort Claimants*

13 **UNITED STATES BANKRUPTCY COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

15 **In re:**

16 **PG&E CORPORATION**

17 **-and-**

18 **PACIFIC GAS AND ELECTRIC**
COMPANY,

19 **Debtors.**

20 Affects PG&E Corporation
21 Affects Pacific Gas and Electric Company
22 Affects both Debtors

23 *All papers shall be filed in the Lead Case,
24 No. 19-30088 (DM)

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

25 **DECLARATION OF KAREN**
LOCKHART REGARDING THE
MOTION OF THE OFFICIAL
COMMITTEE OF TORT CLAIMANTS
PURSUANT TO 11 U.S.C. §§ 105(a) AND
501 AND FED. R. BANKR. P. 3001(a)
FOR ENTRY OF AN ORDER
APPROVING PROPOSED MODEL
PROOF OF CLAIM FORM FOR FIRE
CLAIMS AND RELATED
PROCEDURES

26 Date: June 11, 2019
27 Time: 9:30 a.m. (Pacific Time)
Place: United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

1 Karen Lockhart, pursuant to 28 U.S.C. § 1746, hereby declares as follows:

2 1. I am the Chair of the Official Committee of Tort Claimants (the “TCC”). I submit
3 this declaration in support of the *Motion of the Official Committee of Tort Claimants Pursuant to*
4 *11 U.S.C. §§ 105(a) and 501 and Fed. R. Bankr. P. 3001(a) for Entry of An Order Approving*
5 *Proposed Model Proof of Claim Form for Fire Claims and Related Procedures* (the “Motion”).¹

6 2. The TCC anticipates that thousands of parties are likely to file claims in the above-
7 captioned chapter 11 cases (the “Chapter 11 Cases”) arising from or relating to fires that the PG&E
8 Corporation (“PG&E Corp.”) and Pacific Gas and Electric Company (“Utility”), as debtors and
9 debtors in possession (collectively, “PG&E” or the “Debtors”), are alleged to have caused (each,
10 a “Fire Claimant” and, collectively, the “Fire Claimants”).

11 3. The fires at issue include fires that occurred over a three-year period—the November
12 2018 Camp Fire, the October 2017 Atlas Fire, the October 2017 Adobe Fire, the October 2017 Bear
13 Fire, the October 2017 Blue Fire, the October 2017 Cascade Fire, the October 2017 Cherokee Fire,
14 the October 2017 Honey Fire, the October 2017 La Porte Fire, the October 2017 Lobo Fire, the
15 October 2017 McCourtney Fire, the October 2017 Norrbom Fire, the October 2017 Nuns Fire, the
16 October 2017 Oakmont Fire, the October 2017 Partrick Fire, the October 2017 Pocket Fire, the
17 October 2017 Point Fire, the October 2017 Potter Fire, the October 2017 Pythian Fire, the
18 October 2017 Redwood Fire, the October 2017 Sulphur Fire, the October 2017 Sullivan Fire, the
19 October 2017 Tubbs Fire, the October 2017 37 Fire, the December 2016 Ghost Ship Fire,
20 the September 2015 Butte Fire, and other fires that occurred in California prior to the Petition Date
21 (each, a “Fire” and, collectively, the “Fires”).

22 4. On March 14, 2019, the Debtors filed their Schedules of Assets and Liabilities
23 (collectively, the “Schedules”). See Dkt. Nos. 900 & 906. The Debtors scheduled each Fire Claim
24 in an “undetermined” amount and as “disputed,” “contingent,” and “unliquidated.” Many Fire
25 Claimants have begun filing proofs of claim using the form provided by Prime Clerk on its
26 website—*i.e.*, Official Form 410.

27
28 ¹ Capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Motion and the
Memorandum in Support thereof.

1 5. Official Form 410 is not tailored to prepetition claims against the Debtors for
2 monetary losses, personal injuries (including death), losses or asserted damages arising out of or
3 relating to the Fires (each, a “**Fire Claim**” and, collectively, the “**Fire Claims**”). The TCC
4 respectfully submits that the proof of claim form for a Fire Claim should be customized to target
5 information regarding the events giving rise to the Fire Claim, the alleged harm, and the damages
6 sought, and should eliminate the need to provide information that may not be available at this time.

7 6. The TCC has prepared a model proof of claim form, attached to the Motion as
8 **Exhibit A** (the “**Fire Proof of Claim Form**”). The Fire Proof of Claim Form is intended to
9 simplify the process for Fire Claimants to file a proof of claim against the Debtors in respect of any
10 prepetition Fire Claim (each, a “**Fire Proof of Claim**”).

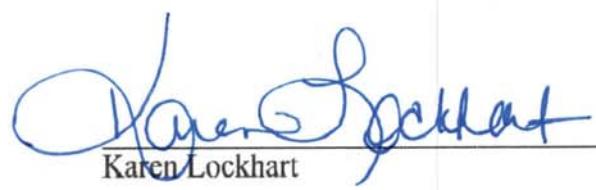
11 7. The TCC is not asking the Court to require Fire Claimants that have already filed a
12 proof of claim using Official Form 410 to file a new proof of claim. The TCC is not asking the
13 Court to establish a bar date for any party to file a proof of claim, including Fire Proofs of Claim,
14 or to approve the form or manner of any notices to be given to known and unknown claimants,
15 including the notice of any bar date or any notice by publication. To implement the use of the
16 proposed Fire Proof of Claim Form, the TCC proposes procedures to provide instruction as to how
17 to use the Fire Proof of Claim Form and to eliminate uncertainty among Fire Claimants that have
18 already filed proofs of claim against the Debtors.

19 8. The TCC believes that it is both necessary and appropriate for the Court to approve
20 a model proof of claim form for Fire Claims at this early stage in the Chapter 11 Cases so that Fire
21 Claimants that access the website maintained by Prime Clerk for the Chapter 11 Cases can avail
22 themselves of the simplified form. The Fire Proof of Claim Form was designed with these
23 objectives in mind and to ease the burden imposed on Fire Claimants by not requiring Fire
24 Claimants to provide information that is not available and, instead, focus on information that will
25 provide all parties in interest with clear notice of the basis for and events giving rise to each Fire
26 Claim.

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1 9. I declare under penalty of perjury that the foregoing is true and correct to the best of
2 my knowledge and belief.

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4 DATED: April 24, 2019
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Karen Lockhart